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PATENT

Attorney Docket No. 101.0078-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gary K. Michelson, M.D.) Confirmation No.: 5619
Serial No.: 09/593,591)
Filed: June 13, 2000) Group Art Unit: 3774
For: MANUFACTURED MAJOR LONG) Examiner: Paul B. Prebilic
BONE RING IMPLANT SHAPED)
TO CONFORM TO A PREPARED)
INTERVERTEBRAL)
IMPLANTATION SPACE)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination in the above-referenced application.

Applicant brings to the Examiner's attention the documents listed on the attached PTO/SB/08 for the Examiner's consideration of double patenting. Applicant respectfully requests that the Examiner consider the documents listed and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: March 16, 2010

By: 

Amedeo F. Ferraro
Registration No. 37,129

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (310) 286-9800
Facsimile: (310) 286-2795